City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Number: 3010251

Applicant Name: Lana Lisitsa, Mithun

Address of Proposal: 5423 Shilshole Avenue NW

SUMMARY OF PROPOSAL

Land Use Application to allow a five story structure containing 100,000 sq. ft. of office, 12,922 sq. ft. of sales and services use, and one caretakers unit. Parking for 323 vehicles to be provided on site.*

The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

*The Land Use Application was revised in August 2012 to increase the sales and service use from 1,715 square feet to 12,922 square feet and parking from 160 spaces to 323 spaces. Additional parking to be provided in the below grade parking garage.

BACKGROUND

Site Location: The proposed development is located on the south side of Shilshole Avenue NW between 22nd and 24th Avenues NW.

Zoning: The proposed structure is located within the Industrial General 2 zone. The remaining portion of the property is located within the Industrial General 1 zone and Urban Industrial Shoreline Environment.

Environmentally Critical Areas: The project site has been mapped as Shoreline Habitat Buffer and Historical Landfill.

Parcel Sizes: 79,350 square feet.

Existing Use: Parking lot.

Public Comment: The public comment period ended October 14, 2009. No comment letters were received.

Project Proposal

The proposal is for a five story structure containing 100,000 square feet of office; 12,922 square feet of sales and service use; and, a caretakers unit. Parking for 253 vehicles will be located in a below grade parking structure and 70 surface parking stalls will be located on the southern portion of the site. Parking and loading will be accessed by a driveway from Shilshole Avenue NW. Shilshole Avenue NW, adjacent to the subject property, will be improved with a six-foot wide pedestrian path. It is anticipated at a future date, improvements will be made by SDOT to construct the Burke- Gilman Trail adjacent to the project site.

Public shoreline access will be provided by a five foot pedestrian easement starting at the property's edge adjacent to the public right-of-way and terminating at the water's edge where a picnic area will be located. Public Access Signage will be located near the public right-of-way and at the picnic area. The existing parking area will need to be restriped and new pavers will delineate the public access adjacent to the building and through the parking lot. A portion of the parking area and pedestrian path, and the picnic area are located within the shoreline district. It is anticipated that a Shoreline Exemption will be granted for the portion of work located within the shoreline district. The remainder of the development is located outside of the shoreline district and does not require a shoreline substantial development permit.

An existing 30-foot wide Seattle City Light (SCL) easement crosses portions of the north property line and the northwestern corner of the property. This easement will need to be modified to allow construction of the building. Several options are available and as agreed to by SCL the applicant will determine the best option at building permit.

Approximately 29,015 cubic yards of material will be removed from site for construction of the below-grade parking structure and building. All construction staging, including construction worker vehicles will be staged on site or on adjacent sites. All staging areas will be located outside the shoreline district.

SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 1, 2009 and supplemental information including; Phase I Environmental Site Assessment, Shannon & Wilson, Inc. dated March 1997; Phase 2 Environmental Site Assessment, Shannon & Wilson, Inc. dated October 1997; Information provided by GeoEngineers in letters dated May 6, 2011, and October 6 and 11, 2011; Traffic Impact Analysis prepared by Heffron Transportation, Inc. dated July 23, 2009 and updated on March 1, 2010 and September 5, 2012; Transportation Management Plan; and, submitted site plans and elevations. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and additional information in the file; and pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project, including the Environmentally Critical Areas Ordinance, Noise Ordinance, Grading Code, Stormwater Code, Historic Preservation Ordinance, Street Use, Land Use Code, Street Use Ordinance, and compliance with Puget Sound Clean Air Agency (PSCAA) standards will provide sufficient mitigation of most identified impacts and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665). There may, however, be short-term impacts from construction and long-term impacts from traffic and parking, and methane gas that warrant additional discussion and mitigation.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and methane. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Greenhouse gas emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Earth

The project site is mapped Historical Landfill. Methane data provided in reports indicate that methane is present at levels that pose a health and safety concern during construction and will require mitigation to protect building occupants over the long-term. To manage the short term construction risks, a methane mitigation plan will be prepared. The purpose of the methane mitigation system is to prevent accumulation of methane in the proposed building, including the

subsurface garage, that could result in either explosive and/or asphyxiation conditions. To mitigate this potential risk a condition has been placed at the end of this report requiring submittal and approval of a methane mitigation plan.

Construction Related Traffic

Approximately 30,695 cubic yards of soil will be excavated from the project site. Assuming that each dump truck with trailer can carry about 24 cubic yards of material, the excavation will generate about 1,279 truck loads or 2,558 truck trips (1,279 inbound empty trucks and 1,279 outbound full trucks). A typical construction site can load 8 to 12 trucks per hour with a single loader, or 64 to 96 trucks per day for an eight hour day. Initial excavation would take several weeks. Considering the large volumes of truck trips anticipated during construction and the high peak hour traffic volumes in the vicinity of the site, it is reasonable to restrict truck traffic to non-peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site between the hours of 4:00 PM and 7:00 PM. Truck access to and from the site shall be documented in a truck trip plan, to be submitted to DPD and approved by SDOT prior to issuance of construction permits.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal. Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. Any temporary closures of sidewalks would require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with the City of Seattle to ensure minimal disruptions. Therefore no further mitigation is required.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, which include increased greenhouse emissions; increased traffic in the area and increased demand for parking; and, methane. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse gas emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Earth

The subject site has been mapped as a Historical Landfill on the City's Environmentally Critical Areas Map. The property was originally developed as a lumber mill in 1888 and much of the mill was built on pilings extended over the water and tidelands of Salmon Bay. The property continued to operate as a mill site until 1957/1958. The property was filled and the current bulkhead constructed in 1959. Fill material included sawdust from former mill operations and soil generated and transported to the property during construction of Interstate I-5. As was

customary at the time, the byproducts of the lumber mill operations – inert, natural materials such as wood debris and sawdust – were deposited at the site over the decades that the mill was in operation.

Several reports have been submitted by the Applicant: Phase I and Phase 2 Environmental Site Assessments, Shannon& Wilson, dated March 1997 and October 1997; and, Supplemental Site Characterization Summary, GeoEngineers, dated May 6, 2011. The GeoEngineers Supplemental Characterization Summary, dated May 6,2011 concludes that soil and groundwater data indicate that the proposed building construction can proceed using typical construction practices and controls to identify and appropriately manage contaminated soil and/or groundwater, if encountered. Methane data provided in reports indicate that methane is present at levels that pose a health and safety concern during construction and will require mitigation to protect building occupants over the long-term. To manage the short term construction and long- term occupancy risks, a methane mitigation plan will be prepared. This plan will be prepared along with building design plans and methane mitigation measures will be included as part of the development and building design. The purpose of the methane mitigation system is to prevent accumulation of methane in the proposed building, including the subsurface garage, that could result in either explosive and/or asphyxiation conditions. To mitigate this potential risk a condition has been placed at the end of this report requiring submittal and approval of a methane mitigation plan.

Parking

The proposal will provide a total of 323 parking stalls on site. The below grade parking structure will contain 253 spaces and a surface parking area will have 70 parking spaces. The transportation impact analysis estimated a peak parking demand rate of 0.70 parking spaces per employee. This rate was developed using the standard published rate in ITE's *Parking Generation*, and accounts for 15 percent of the employees that are expected to use alternative modes of travel to reach the site, and also accounts for typical absenteeism. The on-site parking supply would accommodate parking demand for up to about 450 employees. However, as employment grows, the on-site parking could be insufficient. When employment at the building exceeds 500 employees the following parking mitigation has been suggested in the transportation impact analysis:

- Lease additional parking spaces on the Salmon Bay Center site or at other sites in the vicinity.
- Increase capacity of onsite parking through the use of valets or lift racks.
- Encourage more employees to walk, bike, or take transit to work through increased incentives for using alternative modes of travel. Travel by single-occupant vehicle would need to decrease to about 65 percent of the employees in order for the building to achieve a parking demand below 420 vehicles.

Parking stalls at the Salmon Bay Center are currently underutilized. There are a total of 438 parking stalls available for tenets and customers of the center. Parking demand was surveyed on Tuesday, April 21, 2009. A total of 125 vehicles were parked on the portion of the site's parking lot that is set aside for Trident marine. There was a significant supply of unused parking of the adjacent parcels, which at some point in the future could be available for lease. The streets

surrounding the project site allow for on-street parking along most block faces. Some of the parking is time restricted with a two-hour limit; however, most are available for all but three hours in the early morning to prevent overnight parking. Some parking along NW Market Street is metered (pay station). On street parking is approaching capacity. To mitigate impacts from spill over parking a Transportation Management Plan will be required with the goal of reducing the number of employees needing on-site parking. The proposed TMP has a single-occupant vehicle goal of 85 percent. This goal should be reduced to between 60 and 75 percent depending on the ability to provide additional parking supply through lease or capacity management programs. The lower goal of 60 percent would be needed if no additional parking is provided. Elements of this plan have been described in the transportation impact analysis and reviewed by the DPD Transportation Planner and SDOT. A final Transportation Management Plan shall be approved by DPD and SDOT prior to issuance of a construction permit.

Traffic and Transportation

A transportation impact analysis dated July 23, 2009 was prepared by heffron Transportation (supplemental information was provided on September 28, 2009 and March 1, 2010). This analysis was updated on September 5, 2012 with the revision of the parking count from 162 vehicles to 323 to accommodate the potential future use of the building as a call center. The project site is accessed from an existing driveway on Shilshole Avenue NW and is part of the Salmon Bay Center, a complex of buildings and parking lots that extend to the southeast between Shilshole Avenue NW and the Lake Washington ship canal. There are currently 157 striped parking stalls on the site and a total of 595 parking spaces in the Salmon Bay Center. The project proposal will have 323 parking spaces located at grade and in a below grade parking structure.

The study area for the analysis includes roadways and intersections in the site vicinity likely to be affected by the proposed project. The intersections were selected based on the trip assignment and confirmed with the DPD Senior Transportation Planner. The following intersections were studied for the PM peak hour.

- NW Market ST/Shilshole AVE NW/24th AV NW
- NW Market ST/15th AV NW
- NW 45th ST/NW 46th ST/Shilshole AV NW
- 17th AV NW/Shilshole AV NW
- NW Ballard WY/15th AV NW (Ballard Bridge southbound on-ramp)
- NW Market Street/22nd AV NW/Leary AV NW
- NW 65th ST/24th AV NW

As part of the updated transportation impact analysis, new trip generation calculations were performed using office trip rates based on the number of employees at full occupancy rather that square footage. The revised project traffic estimates were assigned to the study area roadway network and levels of service were calculated to reflect the updated project conditions. Trip generation for the increased employment density was derived using the same methodology described in the original transportation analysis. The only change is that trip rates based on the number of office employees were used instead of the rates based on square footage. The resulting trip generation reflects the increased density of the potential tenant. The current project proposal is anticipated to generate 1,890 vehicle trips per day, 271 vehicle trips during the AM peak hour and 262 vehicle trips during the PM peak hour.

With the additional traffic generated by the project proposal, there are no changes to the level of service at the study intersections. The City of Seattle is proposing a new traffic signal at Shilshole Avenue NW and 17th Avenue NW. During the PM peak hour, the proposed project would add an estimated 114 trips to the intersection. In the year 2013 when the project is open, the total volume of traffic through this intersection is expected to be 1,564 vehicles during the PM peak hour. Therefore, the project's share of the total traffic volumes would be 7.2 percent. As the project would contribute vehicle trips to this intersection the project proponent's Traffic Engineer has identified mitigation requiring the project to pay its proportionate (7.2%) share of the cost of installing the traffic signal to mitigate the impact of added vehicle trips.

The transportation impact analysis also analyzed future operations of the driveway on Shilshole Avenue. The current proposal will result in the left turns out of the driveway to operate at LOS F. However, the right turns out of the driveway will operate at LOS C. The driveway does not have high enough volumes to warrant a single. The project plans indicated that two outbound lanes will be provided – one for left turns and one for right-turns so that right turn movements are not affected by the left turn delay. Based on the proposed driveway configuration no further mitigation is required.

DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

☑ This DNS is issued after using the optional DNS process in WAC 197-11-355 and early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

☐ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days after the date of issuance of a DNS.

CONDITIONS - SEPA

Prior to Issuance of Building Permit

1. A Methane Mitigation Plan containing methane mitigation design details shall be reviewed and approved by DPD.

2. Submit for review and approval a revised Transportation Management Plan with a single-occupant vehicle goal of 85 percent. This goal should be reduced to between 60 and 75 percent depending on the ability to provide additional parking supply through lease or capacity management programs. The lower goal of 60 percent would be needed if no additional parking is provided.

3. Record with King County the approved Transportation Management Plan and submit recorded copy to SDOT and DPD.

During Construction

4. Large (greater than two-axle) trucks shall be prohibited from entering or exiting the project site between the hours of 4:00 PM and 7:00 PM.

Prior to Certificate of Occupancy

5. Applicant shall pay pro-rata share of signalization at the intersection of Shilshole Ave NW and17th Ave NW.

Permanent for the Life of the Project

6. The owner(s) and/or responsible party(ies) shall ensure that the Transportation Management Program be implemented and compliance monitored to achieve the SOV goal as specified in SMC Section 23.71.018.

Signature: (signature on file) Date: January 3, 2013
Stephanie Haines, Senior Land Use Planner
Department of Planning and Development

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